

United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FIL	ING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,118 07/21/2003		Maurizio Iotti		6119	
	7590	10/20/2004		EXAM	INER
Shlesinger, F	itzsimm	ons & Shlesinger	DUDA, RINA I		
Suite 1323		•			
183 East Main Street				ART UNIT	PAPER NUMBER
Rochester, NY 14604				2837	

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)					
	10/624,118	IOTTI, MAURIZIO					
Office Action Summary	Examiner	Art Unit					
	Rina I Duda	2837					
The MAILING DATE of this communication appeariod for Reply	pears on the cover sheet with the c	orrespondence address					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).							
Status							
1) Responsive to communication(s) filed on							
2a) ☐ This action is FINAL . 2b) ☑ This	s action is non-final.						
Since this application is in condition for allowance except for formal matters, prosecution as to the ments is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
Disposition of Claims							
4) ☐ Claim(s) 1-5 is/are pending in the application. 4a) Of the above claim(s) is/are withdra 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 1-5 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or	awn from consideration.						
Application Papers							
9)⊠ The specification is objected to by the Examine 10)⊠ The drawing(s) filed on 21 July 2003 is/are: a) Applicant may not request that any objection to the Replacement drawing sheet(s) including the correct 11)□ The oath or declaration is objected to by the E	accepted or b) objected to be drawing(s) be held in abeyance. See ction is required if the drawing(s) is obj	e 37 CFR 1.85(a). lected to. See 37 CFR 1.121(d).					
Priority under 35 U.S.C. § 119							
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.							
Attachment(s)		·					
 Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 7/21/03. 	4) Interview Summary. Paper No(s)/Mail Da 5) Notice of Informal P 6) Other:						

Application/Control Number: 10/624,118 Page 2

Art Unit: 2837

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because it is not a clear description of applicant's invention; the last line "fig. 1" must be deleted. Correction is required.

See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

- 2. The following is a quotation of the first paragraph of 35 U.S.C. 112:
 - The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.
- 3. The specification is objected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The detail description of the invention does not provide a clear and full description of the invention, all the elements in the different figure drawings must be clearly described in order to understand how said circuit elements would help determine the current of the electric motor, plus all the necessary method steps to determine the motor current must also be specifically described.
- 4. The following is a quotation of the second paragraph of 35 U.S.C. 112:
 The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
- 5. Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It seems the claims are just a translation of the claims in the foreign document. The claims must be rewritten to recite all the structural elements needed to determine the current of the motor as well as all the methods steps

Application/Control Number: 10/624,118

Art Unit: 2837

used to determine the current. Furthermore, the meaning of "IMS" and "DBC" must be specified in the claims. Additionally, only reference characters can be within parentheses. Plus, terms such as "or the like" make the claim unclear because the claims include elements not actually disclosed and terms such as "preferably but not necessarily" make the claims indefinite because the claims have to clearly recite the subject matter which applicant regards as his invention.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 7. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Kanouda et al (US Patent 5280228).

The claims have been rejected under 112, second paragraph, for being indefinite. As the invention is best understood, Kanouda et al teaches a controller for determining current in a motor 10 comprising a series of power transistors and temperature/thermal sensor 19.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rina I Duda whose telephone number is 571-272-2062.

Art Unit: 2837

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Martin can be reached on 571-272-2107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RD